

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIAN H. ROBB,
Plaintiff,

v.

FITBIT INC., et al.,
Defendants.

Case No. [16-cv-00151-SI](#)

**ORDER GRANTING FITBIT
DEFENDANTS' MOTION FOR LEAVE
TO FILE A MOTION FOR PARTIAL
RECONSIDERATION**

Re: Dkt. No. 137

Before the Court is the Fitbit defendants' motion for leave to file a motion for partial reconsideration of the October 26, 2016 order denying defendants' motion to dismiss. Docket No. 137; Civ. L.R. 7-9. Defendants seek reconsideration of the Court's finding that plaintiffs adequately pled scienter as to their claims brought under the Securities Exchange Act of 1934, 15 U.S.C. § 78 et seq. *See* Docket No. 122. Plaintiffs have opposed the motion. Docket No. 140.

Having reviewed the parties' submissions, the Court GRANTS defendants' motion. Defendants shall file their motion no later than December 23, 2016. Plaintiffs' opposition is due January 6, 2017, and defendants shall file their reply by January 13, 2017. The Court shall hold a hearing on this matter on January 20, 2017, at 10:00 a.m.

IT IS SO ORDERED.

Dated: December 21, 2016



SUSAN ILLSTON
United States District Judge